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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

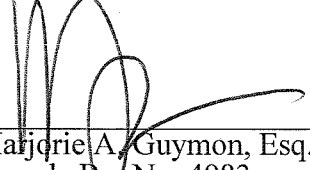
In re:)	CASE NO. BK-S-10-20354-MKN
)	CHAPTER 7
RONALD V. COOK,)	
)	Hearing Date: September 21, 2011
Debtor.)	Hearing Time: 2:30 P.M.
)	Trustee: Yvette Weinstein

**MOTION TO COMPEL ABANDONMENT OF PROPERTY; AND MOTION FOR
STATUS HEARING**

Comes now Debtor, Ronald V. Cook, by and through counsel Goldsmith & Guymon, P.C., and hereby moves the court for an order compelling the abandonment of Debtor's property and for a status hearing to determine the status of administration and entry of a closing order in this case. Said motion is made and based upon the accompanying Memorandum of Points and Authorities, Declaration of Ronald V. Cook, and any argument upon hearing.

DATED this 18 day of August, 2011.

GOLDSMITH & GUYMON, P.C.



Marjorie A. Guymon, Esq.
Nevada Bar No. 4983
2055 Village Center Circle
Las Vegas, Nevada 89134
Attorneys for Ronald V. Cook

MEMORANDUM OF POINTS AND AUTHORITIES

I.

STATEMENT OF FACTS

1. Debtor Ronald V. Cook (hereinafter "Debtor") filed Chapter 7 bankruptcy on June 3, 2010. The 341 meeting of creditors was held on July 9, 2010 at which time the meeting was continued to August 16, 2010, and again to August 30, 2010 for additional documents. On September 7, 2010, the Trustee concluded that this was a no asset case, that the estate had been fully administered and requested to be discharged from any further duties as trustee.
2. The Debtor was granted a discharge on September 8, 2010. Debtor's Chapter 7 case is still open for administration at this time.
3. On February 7, 2011, the Trustee abandoned the real properties located at 6573 Grand Stand Ave, Las Vegas, NV 89131 and 1650 Cookson Ct./1650 Beeson (house and lot), Las Vegas, NV 89156.
4. The Debtor listed on schedule B as having an interest in the following businesses RVC Investments, LLC, LasVegas.Net, LLC, XiloCore, LLC, and Seiko Computer systems of Nevada, LLC.
5. Debtor would like the Trustee to abandon all property and to close the case.
6. Having the case open for so long is detrimental to the Debtor's fresh start as to his professional career. Since the Debtor's bankruptcy case is still open, Debtor has no control of his LLC interests. The Debtor has multiple business partners in the LLC's and having no control of his LLC interests is affecting his fresh start and puts a strain on his professional relationships with his business partners.

II.

STATEMENT OF LAW AND ARGUMENT

The filing of a petition for bankruptcy creates an estate comprised of debtor's property. 11 U.S.C. §541. There is a means under the Bankruptcy Code for the abandonment of property of the estate which is of "inconsequential value and benefit to the estate." 11 U.S.C. §554(b). Federal Rule of Bankruptcy Procedure 6007 provides that a party in interest may move the court for an order

1 requiring the trustee to abandon property of the estate. F.R.B.P. 6007(b). The Debtor is clearly a
2 party in interest having standing to seeking the court's order abandoning all property.

3 Since the Trustee concluded that this was a no asset case, that the estate had been fully
4 administered and requested to be discharged from any further duties as trustee, the Trustee should
5 be compelled to abandon all property of the estate and to proceed with closure of the case as there
6 are no assets available for liquidation for the benefit of the unsecured creditors.

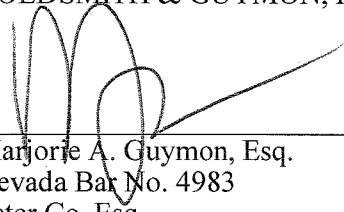
7 **III.**

8 **CONCLUSION**

9 WHEREFORE, the Debtor respectfully requests that the court issue an order requiring the
10 trustee to abandon the property set forth herein and expedite the closing of the Debtor's bankruptcy
11 case for all the reasons set forth above. A proposed order has been attached hereto as Exhibit A.

12 Dated this 18 day of August, 2011.

13 GOLDSMITH & GUYMON, P.C.

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15 _____
16 Marjorie A. Guymon, Esq.
17 Nevada Bar No. 4983
18 Peter Co, Esq.
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21 Las Vegas, Nevada 89134
22 Attorney for Debtor
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Exhibit A

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**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:)	CASE NO. BK-S-10-20354-MKN
)	CHAPTER 7
RONALD V. COOK,)	Hearing Date: September 21, 2011
)	Hearing Time: 2:30 p.m.
Debtor.)	Trustee: Yvette Weinstein

**ORDER GRANTING DEBTOR'S MOTION TO COMPEL ABANDONMENT OF
 PROPERTY; AND MOTION FOR STATUS HEARING**

The Debtor herein, by and through counsel Goldsmith & Guymon, P.C., having filed his Motion to Compel Abandonment of Property; and Motion for Status Hearing; the same having come on for hearing and proper notice having been given; Goldsmith & Guymon, P.C. appearing at the hearing on the matter on behalf of the Debtor; no opposition to the Motion having been filed; the court having been apprized on all relevant facts, and for good cause appearing;

IT IS HEREBY ORDERED that the Estate's interest in RVC Investments, LLC, LasVegas.Net, LLC, XiloCore, LLC, and Seiko Computer systems of Nevada, LLC shall be abandoned pursuant to 11 U.S.C. 554(b) as property of inconsequential value and benefit to the


1 estate;

2 **IT IS FURTHER ORDERED** that the property described herein is no longer subject to this
3 court's jurisdiction and no longer property of the bankruptcy estate; and

4 **IT IS FURTHER ORDERED** that the Trustee proceed with closure of the bankruptcy case.

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6 Submitted by:

7 **GOLDSMITH & GUYMON, P.C.**

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10 MARJORIE A. GUYMON, ESQ.
11 Nevada Bar No. 004983
12 2055 Village Center Circle
13 Las Vegas, Nevada 89134
14 Attorneys for Debtor

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16 **CERTIFICATION**

17 In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

18 ☐ The court has waived the requirement of approval under LR 9021.

19 ☐ No party appeared at the hearing or filed an objection to the motion.

20 ☐ I have delivered a copy of this proposed order to all counsel who appeared at the
21 hearing, and any unrepresented parties who appeared at the hearing, and each has
22 approved or disapproved the order, or failed to respond, as indicated below [list
23 each party and whether the party has approved, disapproved, or failed to respond
24 to the document]:

25 ☒ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this
26 order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content
27 of the order.

28 **IT IS SO ORDERED.**

/s/ Marjorie A. Guymon, Esq.
Marjorie A. Guymon, Esq.
Counsel for Debtor

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